

MANDATE

S.D.N.Y. (nyny)
07-cv-7242
Wood, C.J.

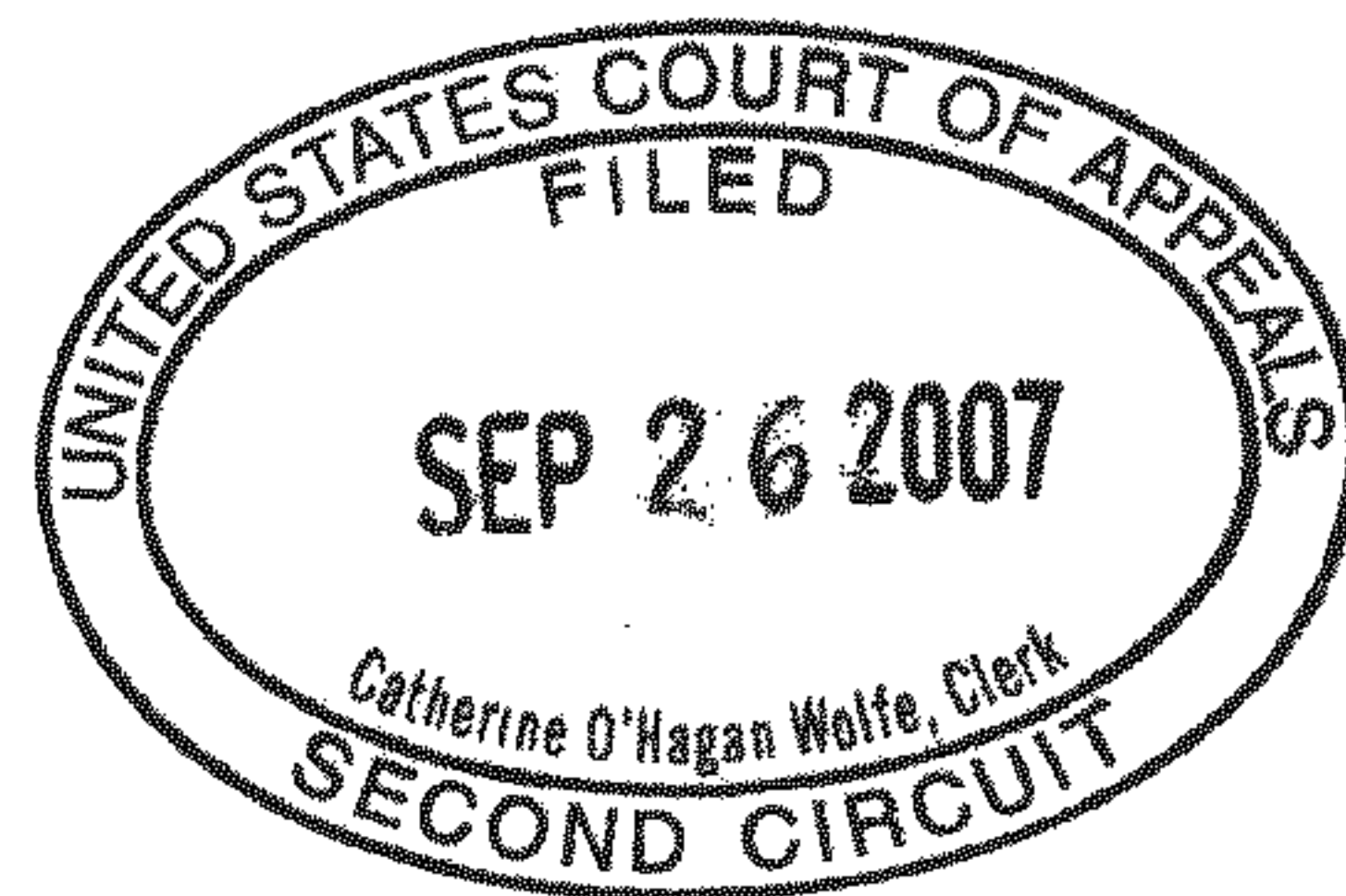
United States Court of Appeals

FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 26th day of September, two thousand seven,

Present:

Hon. Rosemary S. Pooler,
Hon. Reena Raggi,
Circuit Judges,
Hon. Paul A. Crotty*,
District Judge.



Demark Dixon,

Petitioner,

v.

07-3612-op

Warden J.M. Killian,

Respondent.

Petitioner, *pro se*, requests an order authorizing the United States District Court for the Southern District of New York to consider a second or successive 28 U.S.C. § 2255 motion. Upon due consideration, it is hereby ORDERED that the motion is DENIED because Petitioner has not satisfied the criteria set forth in 28 U.S.C. § 2255 ¶8. It is further ORDERED that the motion to proceed in forma pauperis is DENIED as moot because there is no fee associated with applications to file a second or successive habeas motion. Liriano v. United States, 95 F.3d 119, 123 (2d Cir. 1996). Jackson's motion to remand is also DENIED.

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk

by

DEPUTY CLERK

SEP 26 2007

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

By:

*The Honorable Paul A. Crotty, United States District Court for the Southern District of New York, sitting by designation.

SAO JS

Issued as Mandate:

NOV 1 2007

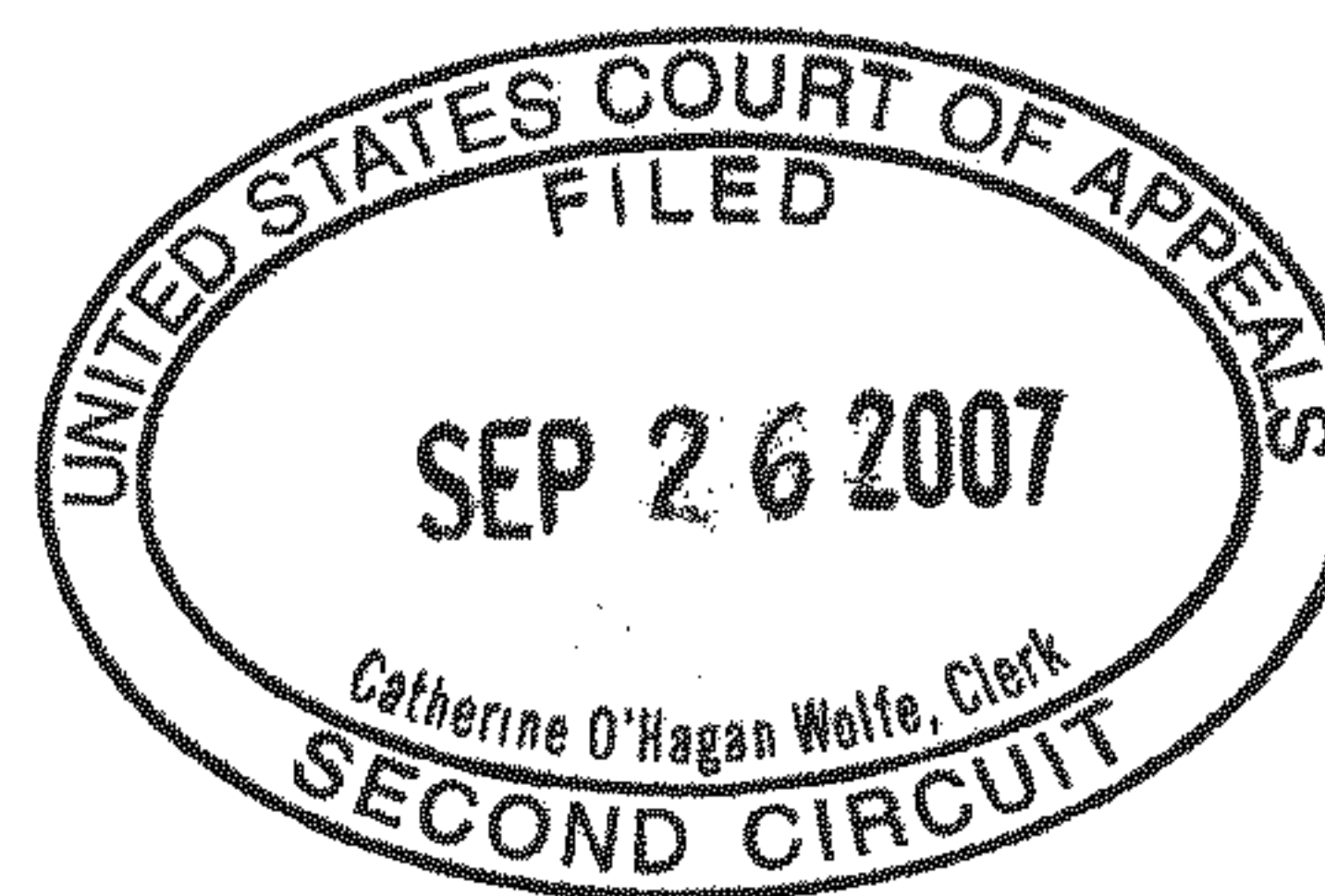
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THE MANDATE, CONSISTING OF
ITEMS BELOW, HAS BEEN RECEIVED
() OPINION () STATEMENT OF COSTS
() ORDER

RECEIVED BY: _____ DATE: _____

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

By: Jucille Carr

SEP 26 2007

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